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P 211812Z APR 09  
FM AMEMBASSY BANGUI  
TO RUEHC/SECSTATE WASHDC PRIORITY 0891  
INFO RHMFISS/AFRICOM  
RUEHBZ/AMEMBASSY BRAZZAVILLE PRIORITY 0157  
RUEHKH/AMEMBASSY KHARTOUM PRIORITY 0259  
RUEHKI/AMEMBASSY KINSHASA PRIORITY 0270  
RUEHLC/AMEMBASSY LIBREVILLE PRIORITY 0171  
RUEHLO/AMEMBASSY LONDON PRIORITY 0118  
RUEHNJ/AMEMBASSY NDJAMENA PRIORITY 0446  
RUEHFR/AMEMBASSY PARIS PRIORITY 0430  
RUEHYD/AMEMBASSY YAOUNDE PRIORITY 0426  
RUEHNR/AMEMBASSY NAIROBI 0138  
RUEHGI/AMEMBASSY BANGUI 1114

UNCLAS SECTION 01 OF 02 BANGUI 000086

SENSITIVE  
SIPDIS

DEPT FOR AF/C  
PARIS FOR RKANEDA  
LONDON FOR PLORD  
AFRICOM FOR KOCH  
NAIROBI FOR MSHIRLEY, AKARAS

E.O. 12958: N/A  
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SUBJECT: MFA NOTE SEEKS TO REGULATE TRAVEL BY DIPLOMATS IN THE CAR

REF: (09 Bangui 46, 49, 84)

1. (SBU) SUMMARY: On April 20, 2009, Post received a Circular Diplomatic Note from the Central African Ministry of Foreign Affairs (MFA) imposing the immediate requirement for notification to the MFA prior to any travel to areas ``under tension'' by the foreign diplomatic corps. The Note cited Article 26 of the Vienna Convention of 1961 as justification, but did not specify what areas were considered off limits. The Dean of the Corps is considering a response. This note is potentially very dangerous as it may set the stage for further restrictions upon the international community in the run up to the 2010 elections. END SUMMARY

2. (SBU) The note, dated April 7, 2009, was received on April 20, 2009. While the actual French is a bit ambiguous, the Note: -- Brings to the attention of the Corps, ``that certain Chiefs of Mission and their collaborators'... travel frequently to Central African provinces under tension.''' -- States that while the CARG has always permitted diplomats to travel freely, Article 26 of the Vienna Convention on Diplomatic relations gives the Central African Government (CARG) the right to prohibit or restrict access to zones for reasons of national security pursuant to the CARG's obligation to protect foreign diplomats. (Article 26 states: ``Subject to its laws and regulations concerning zones entry into which is prohibited or regulated for reasons of national security, the receiving State shall ensure to all members of the mission freedom of movement and travel in its territory.'') The note is almost certainly a reaction to the trips by the Ambassador to Ndele in February 2009 and Kaga Bandoro in March 2009, and perhaps more specifically, the Ambassador's refusal to accept the CARG's demand of notification prior to any future trips.

3. (SBU) A chronology of events:

-- February 12-15, 2009 - Ambassador's trip to Ndele to investigate claims that the Central African Army (FACA) burned villages and murdered civilians in an effort to combat rebels (09 Bangui 46).  
-- February 20, 2009 - Ambassador's meeting with President Bozize. Ambassador informed the President of his findings and gave Bozize photos of blood stained clothing and a possible common grave (09 Bangui 49).  
-- February 25, 2009 - Ambassador's meeting with MFA Gambi who expressed the CARG's displeasure with the Ambassador's travels

and asked him to inform them of further travel outside of Bangui. The Ambassador politely refused the MFA's request.

-- March 3, 2009 - Ambassador met with Presidential Advisor Kiticki Kouamba who reiterated the concern of the CARG about the Ambassador's trip to Ndele.

-- March 11, 2009 - Post source confirmed that the FACA colonel in Ndele was relieved of command for allowing travel north of Ndele and the FACA communications officer was given a 40 day prison sentence for failing to notify Bangui of the Ambassador's travel.

-- March 26-27, 2009 - Ambassador's party was stopped south of Kaga Bandoro and forced to return to Bangui. This despite having mentioned the trip during an office call on the Minister Delege of Defense prior to departure (09 BANGUI 84).

- March 29-31, 2009 - POLOFF's trip to Bouar was approved by the MOD, on condition of a FACA escort.

- April 7, 2009 - Diplomatic Note signed by MFA to all diplomatic missions requiring that the Ministry be informed of all travel to areas of ``tension''.

¶4. (SBU) The CARG has never declared any part of their territory to be ``under tension'' and the Dean of the Diplomatic Cops (French Ambassador), is considering seeking clarification as to which parts of country are off limits/controlled for diplomats. As currently worded, the Note could be interpreted as a requirement for notification of all travel outside of Bangui.

¶5. (SBU) COMMENT: It is unlikely that the CARG has fully considered the implications of this action, for while reciprocity by represented countries is unlikely, the Note does require the CARG to lay bare their lack of control of the national territory. It may also be a return to old tactics: President Andre Kolingba, for whom MFA Gambi served as Minister of Education from 1990-1996, demanded that all diplomats similarly declare intra-country travel during his rule. This is

BANGUI 00000086 002 OF 002

not an encouraging development, as few in the CAR recall Kolingba's rule with any fondness. Perhaps more ominously, the French believe that the CARG is using the Ambassador's trip as a pretext to place further limits upon the international community in the run up to the 2010 elections. Both realities are cause for concern as it remains in the interest of the United States that the 2010 elections proceed smoothly and that the international community is allowed unfettered access to the entirety of this unstable state. END COMMENT

COOK